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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARK STEELE, an individual, and DAN
ROYSE, an individual, JULIE TEAGUE, an
individual, and JERAHMEEL
CAPISTRANO, on behalf of themselves, and
on behalf of all persons similarly situated,

Plaintiff,

vs.

KAISER FOUNDATION HEALTH PLAN,
INC., a California Corporation, and Does 1 to
10,

Defendants.

CASE NO.: C 07-5743 VRW

CLASS ACTION

**JOINT CASE MANAGEMENT
CONFERENCE REPORT**

Date: March 20, 2008
Time: 3:30 p.m.
Courtroom: 6, 17th floor
Judge: Hon. Chief Judge Vaughn R
Walker

1 Plaintiffs Mark Steele, Dan Royse, Julie Teague, and Jerahmeel Capistrano ("Plaintiffs") and
 2 Defendant Kaiser Foundation Health Plan, Inc. ("Defendant") (collectively referred to herein as "the
 3 Parties") have agreed to enter into a mediation. As shown in the Stipulation Selecting ADR
 4 Process, attached hereto as Exhibit 1, the Parties will be participating in a private mediation before
 5 Anthony Piazza on May 13, 2008 in San Francisco. In anticipation of the mediation, the Parties
 6 respectfully request a stay of discovery and a continuance of all Rule 26(f) related dates until after
 7 the Mediation has been completed, as described below:

8
 9 **I. Rule 26(f) Obligations**

10 The Parties request a continuance of the timing of all Rule 26(f) obligations until June 1,
 11 2008. In the event that the Mediation is unsuccessful, the Parties will then meet and confer as
 12 necessary under Rule 26(f). Pursuant to Rule 26(a), the Parties will then make the required initial
 13 disclosures at or within fourteen (14) days after the Rule 26(f) Conference. The Parties also request
 14 a continuance of the Court's Case Management Conference of March 20, 2008 until some date that
 15 is convenient for the Court in the month of June of 2008. Before this Conference, the Parties will
 16 submit a subsequent joint statement to update the Court on the status of this case.

17
 18 **II. Timing of Discovery**

19 To prepare for the upcoming mediation, the Parties have agreed to informally exchange
 20 discovery. As a result, the Parties respectfully request that all formal discovery proceedings are
 21 stayed by the Court until June 1, 2008.

22 Finally, the parties agree that scheduling any additional dates at this time would be
 23 premature prior to the mediation taking place on May 13, 2008.

24 Dated: February 28, 2008

BLUMENTHAL & NORDREHAUG

26 By: /s/ Aparajit Bhowmik

Aparajit Bhowmik
 Attorneys for Plaintiffs

1 Dated: February 28, 2008

SEYFARTH SHAW LLP

2
3 By: /S/ Kari E. Levine

Kari E. Levine

4 Attorneys for Defendant

5 *Concurrence in the filing of the document has been obtained from this signatory which
6 shall serve in lieu of her signature on the document.
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EXHIBIT 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARK STEELE, et al.

CASE NO. C 07 5743 VRW

Plaintiff(s),

v.

KAISER FOUNDATION HEALTH PLAN,
INC

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

✓ Private ADR (please identify process and provider) MEDIATION

Parties agree to Anthony Piazza as Mediator and is currently scheduled for May 13, 2008

The parties agree to hold the ADR session by:

✓ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

other requested deadline _____

Dated: 28 Feb 2008

Aparajit Bhowmik
Aparajit Bhowmik
Attorney for Plaintiffs

Dated: 28 Feb. 2008

Kari E. Levine
Kari E. Levine
Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

Mediation

Private ADR

Deadline for ADR session

90 days from the date of this order.

other

IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE